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EXAMINER
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PHILLIPS, HASSAN A

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 07/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/845,947

Applicant(s)

BURNETT ET AL.

Examiner

Hassan Phillips

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2005.  
2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-17 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is in response to amendments and remarks filed on May 27, 2005.

#### ***Specification***

2. After consideration of the amendments made to the specification to double space lines and correct minor errors, Examiner has withdrawn all objections to the specification.

3. Examiner would like to thank Applicant's for checking the lengthy specification to correct minor grammatical and typographical mistakes.

#### ***Claim Objections***

4. After consideration of the amendment made to claim 7 to correct a minor error, Examiner has withdrawn the objection to claim 7.

#### ***Response to Arguments***

5. Applicant's arguments filed May 27, 2005 have been fully considered but they are not persuasive. Applicant's argued that:

- a) Simonoff does not teach or suggest the "system administrator" is an ASP administration module having authority to grant organization access to the network;

- b) Simonoff does not teach or suggest that either the White Board server or client has "authority to create plural virtual events";
- c) Simonoff does not teach or suggest an event champion module that can grant authority to upload content from plural predetermined contributors;
- d) There is no element in Simonoff that corresponds to a "contributor module" that is operable to "upload content from plural predetermined contributors" based upon "authority granted to the contributor from the event champion module";
- e) Simonoff does not disclose or suggest the "view only mode" is operable to authorize attendees to view White Board content;
- f) Simonoff does not disclose or suggest the "view only mode" interfaces with the login procedure for the White Board if the users are not members of the network;
- g) Simonoff does not teach or suggest any "rapid event generator";
- h) Displaying users in the teachings of Simonoff is distinguishable from "identifying one or more sponsors";
- i) Simonoff does not disclose or suggest any organization administrator or event instance;
- j) Estrada does not disclose any object "defining" the "duration of the virtual event", the "number of members" of a group, or "the content type";
- k) Estrada does not disclose "defining a predetermined time period for presentation of the virtual event through the Internet";

l) There is no motivation to combine Simonoff with Estrada.

Examiner respectfully submits that Applicant has misinterpreted the prior art of record.

6. Regarding item a), the teachings of Simonoff clearly show CCE software having the authority to grant organization access to the network, (col. 8, lines 26-44). More specifically, Simonoff teaches CCE software requiring all users to log into a secure server, (col. 8, lines 37-40). Accordingly, Examiner has interpreted CCE software as an ASP administration module claimed by the Applicant's.

7. Regarding item b), the teachings of Simonoff clearly show the White Board server having a filtering function that allows for the creation of multiple drawing rooms for different groups logged in to the White Board Server, (col. 25, lines 3-13). Accordingly, Examiner has interpreted the drawing room collaboration sessions as the events claimed by Applicant's.

8. Regarding items c) and d), as admitted by Applicant's in the Applicant's remarks, (page, 17, paragraph 1), Simonoff teaches a file drop down menu that permits uploading of content from a contributor, (col. 9, line 65-col. 10, line 11). Further, Simonoff teaches a user being predetermined and assigned a privilege by the White Board server. The privilege is used to determine a contributor's authority to upload content to a virtual event, (col. 11, lines 24-43). Although an "event champion module",

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and a “contributor module” are not expressly mentioned in the teachings of Simonoff, it is clear such modules exist within the White Board server taught by Simonoff since their functionality is implemented by the White Board server [ i.e. establishing a virtual event architecture that accepts content for the virtual event from contributors (col. 9, line 65- col. 10, line 11), and uploading content from plural predetermined contributors to a virtual event based upon authority granted to the contributor from the event champion module, (col. 11, lines 24-43)]. Still further, although the cited passages of Simonoff only shows one contributor uploading content, it is clear throughout the teachings of Simonoff that these actions can be done by more than one contributor, (col. 6, lines 12-17).

9. Regarding item e), the teachings of Simonoff clearly show a view only mode in which attendees are authorized to view White Board content, (col. 18, lines 25-31). Here, students (or attendees) are authorized by the White Board server to view lectures (virtual event content) from a teacher.

10. Regarding item f), Examiner has interpreted an attendee module as a module within the White Board Server that contains a list of authorized users. Examiner has interpreted a member system module as a module within the White Board server that verifies whether a user is an authorized member or not. Thus, it is inherent in the teachings of Simonoff that the member system module will always interface with the

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attendee module to verify whether a user is an authorized member or not, whether a user is an authorized member or not, (col. 14, line 64-col. 15, line 18).

11. Regarding item g), Applicant's claim a "rapid event generator" as "operable to present an event champion with one or more templates that define the architecture of a virtual event". It is clear in the teachings of Simonoff that one or more templates that define the architecture of a virtual event are presented to the White Board server since the White Board server is able to present a virtual event to a plurality of different users, (col. 6, line 1-col. 7, line 6).

12. Regarding item h), Examiner has interpreted a sponsor as a user who contributes to the virtual event. Accordingly, Simonoff clearly teaches identifying such a user, (col. 17, lines 22-38).

13. Regarding item i), as previously mentioned, Examiner has interpreted an event as claimed by the Applicant to be a drawing collaboration session as disclosed by Simonoff. Therefore, it is clear in the teachings of Simonoff that an organization administrator authorizes a virtual event by creating an event instance, (col. 25, lines 3-13, also see col. 13, lines 10-27).

14. Regarding item j), contrary to Applicant's assertions, Estrada teaches a Quickplace Object "h\_CalenderDuration" that defines the duration of an object when

viewed in a calendar, (col. 32, lines 21-22). Estrada further teaches an object defining a number of members, (col. 12, lines 1-14). In the cited passage of Estrada, an object includes a place where each place has members. A place is created from a template that specifies a number of rooms and members, (col. 12, lines 1-14). Still further, placetype has been interpreted as the "content type" of the claimed invention. As recognized by Applicant's in Applicants remarks, (page 25, paragraph 3), Examiner has interpreted the Quickplace Objects as "events" of the claimed invention.

15. Regarding item k), contrary to Applicant's assertions, Estrada also teaches a Quickplace Object "h\_CalenderTime" that defines a predetermined time period for presentation of an object, (col. 32, lines 20-22). As previously mentioned, Examiner has interpreted Quickplace Objects as the "events" of the claimed invention.

16. Regarding item l), in response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the teachings of Estrada show motivation for giving attendees more insight to how many other attendees are interested in the same type content, what exactly the content is,



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and how long an event will take place, Estrada, col. 5, lines 51-67, col. 6, lines 1-9.

Further, the teachings of Estrada also show motivation for giving multiple attendees the chance to view an event at a specified predetermined time period, thus, giving all attendees the same opportunity to perform a function in response to an event, Estrada, col. 5, lines 51-67, col. 6, lines 1-9.

17. Furthermore, the Examiner has interpreted the claim language as broadly as possible. It is also the Examiner's position that Applicant has not yet submitted claims drawn to limitations, which define the operation and apparatus of Applicant's disclosed invention in a manner that distinguishes over the prior art.

Failure for Applicant to significantly narrow definition/scope of the claims implies the Applicant intends broad interpretation be given to the claims. The Examiner has interpreted the claims with scope parallel to the Applicant in the response and reiterated the need for Applicant to define the claimed invention more clearly and distinctly. Accordingly the references supplied by the examiner in the previous office action covers the claimed limitations. The rejections are thus sustained. Applicant is requested to review the prior art of record for further consideration.

### ***Claim Rejections - 35 USC § 102***

18. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

19. Claims 1-5, 7, 10-17, are rejected under 35 U.S.C. 102(e) as being anticipated by Simonoff, U.S. patent 6,463,460.

20. In considering claims 1, 7, Simonoff teaches a system and method for presenting a virtual event through a network interfaced with the Internet, the system comprising:

- a) An ASP administration module having authority to grant plural organizations access to the network, (col. 8, lines 26-44);
- b) An organization administration module associated with each organization, the organization administration module having authority to create plural virtual events, (col. 25, lines 3-13);
- c) An event champion module associated with each virtual event and operable to establish a virtual event architecture that accepts content for the virtual event from contributors, (col. 9, lines 65-67, col. 10, lines 1-11); and
- d) A contributor module interfaced with the network and operable to upload content from plural predetermined contributors to a virtual event based

upon authority granted to the contributor from the event champion module,  
(col. 11, lines 24-43).

21. In considering claim 2, Simonoff further teaches an attendee module associated with each virtual event, the attendee module operable to authorize attendees to view virtual event content. See col. 18, lines 25-31.

22. In considering claim 3, it is inherent in the teachings of Simonoff that a member system module establishes membership for users to interface with the network. See col. 14, lines 64-67, col. 15, lines 1-18.

23. In considering claim 4, it is inherent in the teachings of Simonoff that the attendee module interfaces users with the member system module if the users are not members of the network. See col. 14, lines 64-67, col. 15, lines 1-18.

24. In considering claim 5, Simonoff teaches a rapid event generator associated with the event champion module, the rapid event generator operable to present an event champion with one or more templates that define the architecture of a virtual event. See col. 6, lines 1-67, col. 7, lines 1-6.

25. In considering claim 10, Simonoff teaches identifying one or more sponsors of the virtual event. See col. 17, lines 22-38.

26. In considering claim 11, Simonoff teaches identifying one or more exhibitors of the virtual event. See col. 17, lines 22-38.

27. In considering claim 12, Simonoff teaches:

- a) Previewing by the event champion of content loaded to the virtual event, (col. 9, lines 65-67, col. 10, lines 1-11); and
- b) Authorizing the previewed content by the event champion for presentation in the virtual event, (col. 18, lines 25-31).

28. In considering claim 13, Simonoff teaches the content comprising a video presentation. See col. 6, lines 1-11.

29. In considering claim 14, Simonoff teaches a system for presenting a virtual event through a network interfaced with the Internet, the system comprising:

- a) A rapid event generator accessible by an event champion and operable to define an architecture of the virtual event based on authorizations of a network administrator for an organization to access the network and an organization administrator associated with the authorized organization for the event champion to create the virtual event, (col. 6, lines 1-67, col. 7, lines 1-6).

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30. In considering claim 15, Simonoff teaches a content contributor module associated with the network and operable to upload predetermined content authorized by the event champion. See col. 11, lines 24-43.

31. In considering claim 16, it is inherent in the teachings of Simonoff that the organization administrator module authorizes a virtual event by creating an event instance. See col. 25, lines 3-13.

32. In considering claim 17, Simonoff teaches the rapid event generator comprising an object operable to accept the event instance created by the organization administrator and further operable to generate a virtual event object from the event instance and data provided by the event champion. See col. 6, lines 1-67, col. 7, lines 1-6.

### ***Claim Rejections - 35 USC § 103***

33. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

34. Claims 6, 8, 9, are rejected under 35 U.S.C. 103(a) as being unpatentable over Simonoff in view of Estrada et al. (hereinafter Estrada), U.S. patent 6,732,148.

35. In considering claim 6, although the disclosed invention of Simonoff teaches substantial features of the claimed invention, it fails to expressly show:

- a) Defining the number of attendees, content type, and duration of the virtual event.

Nevertheless, in a similar field of endeavor, Estrada teaches a system for collaboration space object modeling comprising:

- a) An object defining the number of members of a group, content type, and the duration of a virtual event, (col. 11, lines 64-67, col. 12, lines 1-14. Also see col. 32, lines 21-32).

Thus, given the teachings of Estrada, it would have been apparent to one of ordinary skill in the art to modify the teachings of Simonoff to show the rapid event generator defining the number of attendees, the type of content, and the duration of the virtual event. This would have given the attendees more insight to how many other attendees are interested in the same type content, what exactly the content is, and how long an event will take place, Estrada, col. 5, lines 51-67, col. 6, lines 1-9.

36. In considering claim 8, Simonoff further teaches:

- a) Authorizing predetermined attendees to access the virtual event through the Internet, (col. 18, lines 25-31).

Although the disclosed invention of Simonoff teaches substantial features of the claimed invention, it fails to expressly show:

b) Accessing the event during a predetermined time period.

Nevertheless, accessing events during predetermined time periods were well known in the art at the time of the present invention. Estrada exemplifies this in a system comprising:

b) Accessing an object in a calendar during a predetermined time period, (col. 32, lines 21-32).

Thus, given the teachings of Estrada, it would have been obvious to one of ordinary skill in the art to modify the teachings of Simonoff to show accessing the event during a predetermined time period. This would have given multiple attendees the chance to view the event at the specified predetermined time period, and thus would have given all attendees the same opportunity to perform a function in response to the event, Estrada, col. 5, lines 51-67, col. 6, lines 1-9.

37. In considering claim 9, it is implicit in the teachings of Simonoff that membership to a network is established for an attendee before authorizing access by that attendee to the virtual event. See col. 14, lines 64-67, col. 15, lines 1-18.

### ***Conclusion***

**38. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

39. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hassan Phillips whose telephone number is (571) 272-3940. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
ZARNI MAUNG  
SUPERVISORY PATENT EXAMINER